

202 KAR 6:100. PSAP Phase II certification.

RELATES TO: KRS 65.7621-65.7643, 47 U.S.C. 153(27), 332(d)

STATUTORY AUTHORITY: KRS 65.7631(5)(e), 65.7633(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 65.7631(5)(e) states that no PSAP shall be eligible to request or receive a disbursement from the CMRS fund unless and until the PSAP demonstrates that the PSAP has made the investment which is necessary to allow the PSAP to receive and utilize the data elements associated with wireless E911 service. KRS 65.7633 requires the CMRS Board to implement the provisions of KRS 65.7621 to 65.7643 through the promulgation of administrative regulations. This administrative regulation establishes the process by which a PSAP shall demonstrate its ability to receive and utilize the data elements associated with wireless E911 service.

Section 1. PSAPs not currently certified by the CMRS Board in accordance with 202 KAR 6:050 shall not be eligible for disbursement from the CMRS fund as provided in KRS 65.7631(3) until they successfully complete both the requirements established in 202 KAR 6:050 and relevant sections of this administrative regulation.

Section 2. PSAPs Already Certified by the CMRS Board. (1) In order to maintain continued eligibility for CMRS funds, PSAPs that are currently certified by the CMRS Board in accordance with 202 KAR 6:050 shall no later than February 1, annually submit:

(a) An updated CMRS PSAP Certification Review Data Sheet, including any changes to the documentation supplied in their original Phase I Application; and

(b) Based on an actual tabulation of call traffic for at least the first week in each calendar quarter:

1. An annual count of wireless 911 calls received by the PSAP on dedicated 911 trunks; and
2. A count of nonwireless 911 calls received by the PSAP on dedicated 911 trunks.

(2) Certified PSAPs shall:

(a) Make operational the hardware, software, and database necessary to receive and utilize the data elements associated with Phase II wireless E911 service;

(b) Notify the board, in writing, of their readiness to receive and utilize the data elements associated with Phase II wireless E911 service; and

(c) Supply to the board the following documentation:

1. An electronic copy of the digital map of the PSAP's response area jurisdiction which meets the mapping criteria in Section 3(1)(a) and Section 3(2) of this administrative regulation;

2. An electronic copy of the digital street centerlines which meets the mapping criteria in Section 3(1)(c) and Section 3(2) of this administrative regulation; and

3.a. Copies of return receipts and letters sent certified mail requesting Phase II service from all wireless carriers licensed to operate in the PSAP's jurisdiction response area; or

b. Documentation from a wireless carrier licensed to operate within the PSAP response area that Phase II service is operational or has been requested by the PSAP;

4. Evidence from the LEC, 911 service provider, and any contracted 3rd party database services that all network elements necessary to the provision of Phase II wireless E911 service are operational; and

5. Evidence from hardware and software vendors that all hardware and software necessary to utilize Phase II calls is now operational.

(3) Certified PSAPs shall present to the board updated mapping data sets once a year during the month of October

Section 3. Mapping Criteria. Regardless of the source of its data, a PSAP certified for CMRS funding shall be responsible for the accuracy of the geographic data and supporting databases used by the PSAP and those supplied to the CMRS Board.

(1) Maps in use by PSAPs shall include the following:

(a) PSAP response boundaries and contact information, to include PSAP name, contact personnel, and ten (10) digit contact telephone number with twenty-four (24) hour, seven (7) day availability;

(b) Cell site location as used within the PSAP for Phase I mapping;

(c) Road centerlines that have been prepared and attributed with only items as outlined in the CMRS Board "PSAP Mapping Requirements" Table; and

(d) Address data that is ninety (90) percent accurate upon audit as outlined in Section 4 of this administrative regulation.

(2) The geospatial positional accuracy of all geographic elements submitted shall be within thirty-three (33) feet of its true location, plus the accuracy of the device used to conduct the test, for ninety (90) percent of all tested sites.

Section 4. Geospatial Audit Requirements and Methodology. (1) The CMRS Board shall audit the use and quality of geospatial data supplied by certified PSAPs. The PSAP is not responsible for the accuracy of data provided by wireless carriers.

(2) Audits shall be conducted:

(a) Utilizing equipment and methodology as approved and supplied by the CMRS Board or its designee and calibrated according to manufacturer's specifications; and

(b) Using tests approved by the board which includes GIS professionals and representatives of PSAPs certified for CMRS funding.

(3) Audits shall verify that upon receipt of a wireless 911 call the PSAP's mapping component shall:

(a) 1. Display the X, Y coordinates on digital base maps used by the PSAP;

2. Identify the incoming 911 call on the map display; and

3. Identify the closest assigned address to the X,Y coordinates provided; or

(b) In the absence of the X, Y coordinate information, identify the cell site, and cell-face.

(4) Each PSAP's mapping shall be tested for the accuracy of road centerline data. A minimum of twenty (20) randomly-selected address points shall be tested in each PSAP response area. If a PSAP response area encompasses multiple counties, a sampling of a minimum of twenty (20) randomly-selected address points per county shall be tested. Tested locations shall:

(a) Be distributed across the PSAP response area to yield a valid cross section of urban and rural environments;

(b) Plot on the correct side of the street as shown on the base map data supplied by the PSAP;

(c) Plot within the correct cross streets as shown on the base map data supplied by the PSAP; and

(d) Plot within one-tenth (1/10) of a mile of their location on PSAP supplied base maps.

Section 5. Audit Results. (1) The CMRS Board shall notify PSAPs, in writing, within ten (10) business days of audit results.

(2) If a PSAP fails to meet the audit requirements, the CMRS Board shall allow the PSAP ninety (90) days from receipt of the audit notification to remedy the identified problems.

(3) After receipt of the PSAP response, the board may schedule a reaudit.

(4) A PSAP shall be decertified for CMRS funding if it:

- (a) Fails to remedy the problems identified by the board; or
- (b) Fails a reaudit.
- (5) The board shall notify the PSAP Director, in writing, return receipt requested, of its decision to decertify the PSAP.

Section 6. Appeals of Decertification. (1) A PSAP may request a review of its decertification by submitting a request in writing, within thirty (30) days of receipt of a decertification notice.

- (a) The decertification shall be suspended pending the review by the board.
 - (b) The board shall schedule the requested review at a regularly scheduled board meeting, no later than ninety (90) days after receipt of the PSAP request.
 - (c) The board shall notify the PSAP of the scheduled review date, in writing, at least thirty (30) days prior to the meeting.
 - (d) After the board's review, the board shall notify, in writing, the PSAP of its decision within ten (10) business days.
- (2) A PSAP that has been decertified may further appeal its decertification in accordance with KRS Chapter 13B.

Section 7. Status of PSAP Funds During an Appeal. (1) During a PSAP's appeal of its decertification, the PSAP's pro rata and workload payments shall be held in reserve in the appropriate CMRS fund account until resolution of all appeals by the PSAP.

- (a) If the PSAP's appeal is successful, the reserved funds shall be disbursed to the PSAP with the next regular disbursement of each account.
 - (b) If the PSAP's appeal is unsuccessful, the reserved funds shall be disbursed to the remaining certified PSAPs with the next regular payments from each account in accordance with KRS 65.7631(3).
- (2) All interest accrued by reserved funds shall be distributed among the normal CMRS accounts in accordance with KRS 65.7631.

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "CMRS PSAP Certification Review" 07/14/2003; and
 - (b) The CMRS Board "PSAP Mapping Requirements" table, 06/29/2007.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the CMRS Board, 200 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (30 Ky.R. 513; Am. 907; 1208; eff. 12-5-2003; 33 Ky.R. 4221; 34 Ky.R. 238; eff. 8-31-07.)